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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,) No. CR 05-0123 MHP
14 Plaintiff,) CR 10-0186 MHP
15 v.) STIPULATION AND [PROPOSED]
16 SUN KEUNG LEE,) ORDER EXCLUDING TIME FROM
Defendant.) SPEEDY TRIAL ACT CALCULATION
(18 U.S.C. § 3161(h)(7)(A))
17
18

19 With the agreement of the parties, and with the consent of defendant Sun Keung Lee, the
20 Court enters this order documenting defendant's exclusion of time under the Speedy Trial Act,
21 18 U.S.C. § 3161(c)(1), from March 14, 2011, to May 16, 2011. The parties agree, and the Court
22 finds and holds, as follows:

23 1. Defendant agreed to an exclusion of time under the Speedy Trial Act. His counsel
24 required time to review additional discovery (some 2400 pages of pen register data) that was
25 produced on March 14, as well as to review more thoroughly certain redacted ICE reports that
26 had been produced earlier. Accordingly, failure to grant the requested continuance would have
27 unreasonably denied defendant's counsel the reasonable time necessary for effective preparation,
28 taking into account the exercise of due diligence, in this case. Further, new government counsel

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1 has recently come into the case, and is still in the process of reviewing the files and learning the
2 case; similarly, failure to grant the requested continuance would have unreasonably denied
3 government counsel the reasonable time necessary for effective preparation, taking into account
4 the exercise of due diligence.

5 2. Given these circumstances, the Court found that the ends of justice served by
6 excluding the period from March 14, 2011, to May 16, 2011, outweigh the best interest of the
7 public and the defendant in a speedy trial. *Id.* at § 3161(h)(7)(A).

8 3. Accordingly, and with the consent of the defendant, at the hearing on March 14,
9 2011, the Court ordered that the period from March 14, 2011, to May 16, 2011, be excluded from
10 Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

11 || IT IS SO STIPULATED.

13 DATED: March 6, 2011

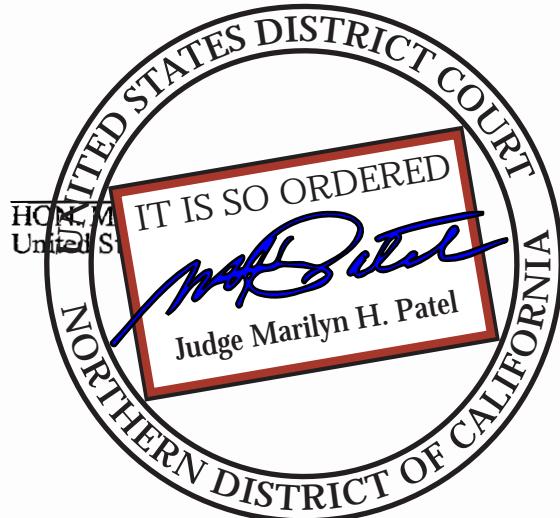
PAUL H. NATHAN
Attorney for Defendant

16 | DATED: March , 2011

ANDREW M. SCOBLE
Assistant United States Attorney

19 | IT IS SO ORDERED

21 | DATED: 4/11/2011



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